

# REPORT OF THE COMMITTEE ON ZONING

Charles K. Djou, Chair; Rod Tam, Vice-Chair  
Romy M. Cachola, Ann H. Kobayashi, Barbara Marshall, Members

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Committee Meeting Held  
January 13, 2004

Honorable Donovan Dela Cruz  
Chair, City Council  
City and County of Honolulu

Mr. Chair:

Your Committee on Zoning, to which was referred Bill 73 (2003) entitled:

" A BILL FOR AN ORDINANCE TO REZONE LAND SITUATED AT WAIMALU,  
OAHU, HAWAII (AMENDING PORTION OF ZONING MAP NO. 7),"

transmitted by Departmental Communication No. 1108 dated November 19, 2003, and  
which passed First Reading at the December 3, 2003 Council meeting, reports as  
follows:

The purpose of Bill 73 (2003) is to rezone 3.278 acres of land in Waimalu from  
the I-2 Intensive Industrial District with a 60-foot height limit to the IMX-1 Industrial-  
Commercial Mixed Use District with a 60-foot height limit at the request of Best Buy  
Purchasing, LLC, to redevelop the site with a retail structure and parking.

Your Committee finds that the Planning Commission, after a public hearing held  
on October 29, 2003 at which no testimony was received in opposition to the zone  
change request, voted to recommend approval of the rezoning, including the  
recommendation by both the Aiea Neighborhood Board No. 20 and the Pearl City  
Neighborhood Board No. 21 in letters in the Attachment to Departmental  
Communication No. 1108 (2003). The Planning Commission's recommendation is in  
disagreement with the recommendation of the Department of Planning and Permitting  
(DPP) in the Attachment to D-1108 (2003).

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## CITY COUNCIL

CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

ADOPTED ON \_\_\_\_\_

COMMITTEE REPORT NO. 9

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Your Committee finds that the DPP did not recommend any conditions to be included in a Unilateral Agreement for this rezoning.

At its meeting of January 13, 2004, your Committee received testimony in support of the project. The Councilmember who represents the area in which the project is proposed to be located also informed your Committee that the Applicant has worked extensively with the affected community to redesign the project to address community concerns. The alterations made to the project by the Applicant include reducing the project's height from 60 feet to 40 feet and including the extensive use of berms and trees to reduce the project's visual impact. The Councilmember of the District stated the affected community now strongly supports the project.

In the Attachment to Departmental Communication No. 1108 (2003) ("the DPP Director's Report"), the DPP reported the project site is located at 98-51 and 98-57 Kamehameha Highway (the former Primo Brewery/Pearlridge Tony Honda site). The Applicant is proposing to replace existing commercial and industrial buildings with a single retail structure (a Best Buy Retail outlet), with ground level parking. There will be retail floor area and parking on the upper level. The project would provide approximately 51,000 square feet of commercial space and 288 parking stalls.

In the Attachment to Departmental Communication No. 1108 (2003), the DPP recommended denial of the requested rezoning because it believes the request is premature. The DPP stated (see p. 11 of the DPP Director's Report):

. . . The proposed addition of approximately 50,000 square feet of commercial space in the area is premature and the argument for the need for additional industrial-commercial mixed use land for this community has not been successfully made by the [A]pplicant. While the current industrial zoning may not be appropriate as the long-term zoning for the site, there has been insufficient discussion, analysis and decision making on the most appropriate zoning with

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the regional context, and for the immediate adjoining properties. As evidenced by the pending 2003 revised draft of the PUC DP and Aiea-Pearl City Livable Communities Plan, a long-term land use policy for the area needs to be made. To move forward with the zone change would forego planning options.

Your Committee finds that the DPP's analysis of the rezoning also examined the following issues: (1) Conformance with the General Plan (see pp. 4-5 of the DPP Director's Report); (2) Compliance with the current Primary Urban Center Development Plan and the 2003 Revised Draft Primary Urban Center Development Plan (see pp. 5-6 of the DPP Director's Report); (3) Conformance with the proposed Aiea-Pearl City Livable Communities Plan (see pp. 6-7 of the DPP Director's Report); (4) Conformance with the Pearl Harbor Historic Trail Master Plan (see p. 7 of the Director's Report); (5) Environmental Issues (see pp. 7-8 of the DPP Director's Report); (6) Zoning (see p. 8 of the DPP Director's Report); (7) Social Impacts (see p. 8 of the DPP Director's Report); (8) Market Study/Assessment (see p. 8 of the DPP Director's Report); (9) Public Facilities and Services (see pp. 8-10 of the DPP Director's Report); and (10) Community Concerns (see p. 10 of the DPP Director's Report).

Your Committee has carefully considered the DPP's analysis of the proposed rezoning that is contained in the Attachment to Departmental Communication No. 1108 (2003). Your Committee believes the proposed rezoning will permit the development of a good project that will help reduce urban blight and which will also bring economic and other benefits to the community. For example, your Committee notes that the Applicant is proposing to set aside an open space area adjacent to the Pearl Harbor Historic Trail for use by the public and customers of the Best Buy retail outlet. Improvements will include landscaping, picnic tables, benches, bicycle racks and a drinking fountain (see p. 10 of the DPP Director's Report). Your Committee also notes the Applicant has worked extensively with the affected community in designing the project. Based on the above, your Committee believes the proposed rezoning should move forward at this time.

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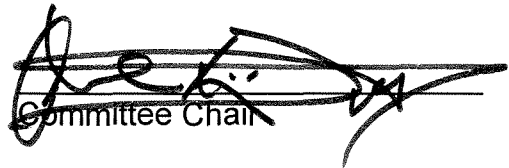
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Your Committee finds that the rezoning proposed in this bill appears to be consistent with the General Plan and Development Plan of the City and in the best interests of the people of the City and County of Honolulu. Your Committee plans to consider this matter further following the receipt of public testimony at the public hearing thereon to be held as required by law.

Your Committee on Zoning recommends that Bill 73 (2003) pass Second Reading, be scheduled for public hearing, and be referred back to Committee. (Ayes: Djou, Cachola, Kobayashi, Marshall, Tam - 5; Noes: None.)

Respectfully submitted,

  
Committee Chair

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## CITY COUNCIL

CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

ADOPTED ON JAN 28 2004

COMMITTEE REPORT NO. 9